## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

STERLING RAY McCRARY, #237087,	)	
Plaintiff,	)	
v.	)	CASE NO. 2:07-cv-725-WKW
ALABAMA COURT OF CRIMINAL	)	
APPEALS and SUPREME COURT OF	)	
ALABAMA,	)	
	)	
Defendants.	)	
	<b>ORDER</b>	

This case is before the court on plaintiff's objection (Doc. # 6) to the Recommendation of the Magistrate Judge (Doc. # 4). After an independent and de novo review of the file in this case and upon consideration of the Recommendation and plaintiff's objection, it is ORDERED that:

- 1. The Objection to the Recommendation of the Magistrate Judge (Doc. # 6) is OVERRULED;
  - 2. The Recommendation of the Magistrate Judge (Doc. # 4) is ADOPTED;
- 3. This case is DISMISSED with prejudice prior to service of process in accordance with the provisions of 28 U. S. C. § 1915(e)(2)(B)(i).

An appropriate judgment will be entered.

DONE this 29th day of August, 2007.

/s/	W.	Keith Watkins	
UNITED	STA	TES DISTRICT JUDGE	